



Spencer
\$

Docket No. 101537-38
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Richard Rox Anderson

Confirmation No. 4834

Application No. 10/612,599

Art Unit: 3763

Filed: July 2, 2003

Examiner: Nicholas D. Lucchesi

For: **TARGETING OF SEBACEOUS FOLLICLES
AS A TREATMENT OF SEBACEOUS
GLAND DISORDERS**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: February 8, 2007

Signature: *Charlton Shen*

(Charlton Shen)

INFORMATION DISCLOSURE STATEMENT (IDS)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

02/13/2007 BAKKHAH1 00000057 10612599

01 FC:1806

180.00 DP

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

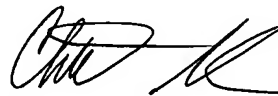
Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56 (b). It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

A check in the amount of \$180.00 for filing fees is enclosed herewith, and the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Order No. 101537-38.

Dated: February 8, 2007

Respectfully submitted,

By 
Charlton Shen
Registration No. 54,442
NUTTER MCCLENNEN & FISH LLP
World Trade Center West
155 Seaport Boulevard
Boston, Massachusetts 02210-2604
(617) 439-2000
(617) 310-9000 (Fax)
Attorney for Applicant



PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/612,599
				Filing Date	July 2, 2003
				First Named Inventor	Richard Rox Anderson
				Art Unit	3763
				Examiner Name	Nicholas D. Lucchesi
Sheet	1	of	1	Attorney Docket Number	101537-38

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		4,803,069	02/07/1989	Kekesi et al.	
		6,183,773	02/06/2001	Anderson	
		6,600,951	07/29/2003	Anderson	
		2002/0087205	07/04/2002	Chen	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		CA 2,190,378	11/23/1995	Bioglan Laboratories Ltd.		
		EP 0 726 083 A3	12/16/1998	Eckhouse		
		WO 96/09853	04/04/1996	The General Hospital Corporation		
		WO 00/40266	07/13/2000	The General Hospital Corporation		
		WO 01/55092	08/02/2001	Burmeister Gerd	Abstract	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Divaris, D. et al., "Phototoxic Damage to Sebaceous Glands and Hair Follicles of Mice After Systemic Administration of 5-Aminolevulinic Acid Correlates with Localized Protoporphyrin IX Fluorescence," Am. J. Pathol. 136(4):891-897 (1990).	
		Hongcharu et al., "Topical ALA-Photodynamic Therapy for the Treatment of Acne Vulgaris," Soc. for Invest. Derm., Inc. pp. 1-9 (J. Invest. Derm. pp. 115(2):183-192) (2000).	
		Kloek, J. et al., "Prodrugs of 5-Aminolevulinic Acid for Photodynamic Therapy," Photochem & Photobiol. 64(6):994-1000 (1996).	
		Peng et al., "Build Up of Esterified Aminolevulinic Acid-Derived-Induced Porphyrin Fluorescence in Normal Mouse Skin," J. Photochem. & Photobiol. B. Biol. 34:95-96 (1996).	
		Pento, J.T., "Delta-Aminolevulinic Acid, Photodynamic Therapy, Antineoplastic, Agent for Actinic Keratoses, Antiacne," Drugs of the Future 22(1):11-17 (1997).	
		Rhodes, L.E. et al., "Iontophoretic Delivery of ALA Provides a Quantitative Model for ALA Pharmacokinetics and PpIX Phototoxicity in Human Skin," J. Invest. Dermatol. 108:87-91 (1997).	
		Sharman, W. et al., "Photodynamic Therapeutics: Basic Principles and Clinical Applications," Drug Discovery Today 4(11):507-517 (1999).	
		Shulman, D., "DUSA Pharmaceuticals Reports Encouraging Results in Phase I/II Acne Clinical Trial," DUSA Pharmaceuticals Inc., Mississauga (10/7/1996).	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

1601725.1

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--